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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,056	12/31/2001	Byeong-Dae Choi	053785-5045	5637
9629	7590	12/19/2005	EXAMINER	
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			WARREN, MATTHEW E	
			ART UNIT	PAPER NUMBER
			2815	

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action  
Before the Filing of an Appeal Brief**

Application No.

10/032,056

Applicant(s)

CHOI, BYEONG-DAE

Examiner

Matthew E. Warren

Art Unit

2815

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 29 November 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: \_\_\_\_\_.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). \_\_\_\_\_

13. ☐ Other: \_\_\_\_\_

SPE Kenneth Parker  
TC2800

Continuation of 11. does NOT place the application in condition for allowance because: the arguments are not persuasive.

The applicant argues that the motivation to combine Kakuda et al. with the APAF is not taught in the reference. The examiner believes that the motivation is taught and that the references are combinable. Kakuda teaches in column 7, lines 8-29 that any of the capacitance electrodes 17, the storage capacitance lines 29, the light blocking layers 18, the data lines 11, and the gate lines 13 may be formed of Al, W, and Mo. Kakuda then goes on to state that Al is particularly suitable for a light blocking layer 18 because of its high reflectivity. Therefore, as stated in the rejection, the materials used in the data line provide the function of light blocking and lowering the electrical resistance. Since Al or Mo is used for the data line and the other components as well, it simultaneously provides those functions. Even if the applicant does not believe that, Kakuda specifically states (col. 9, lines 53-55) that "...the resistance of each line 11, 13, 29 can further be reduced when it is formed by laminating such molybdenum base alloy layer and an ITO layer." So, one of ordinary skill in the art will not have to infer as to what the motivation is, because Kakuda specifically states the motivation in lines 53-55 of column 9. Furthermore, by applicant's own admission (page 7, 2<sup>nd</sup> paragraph), "Kakuda actually discloses the disadvantages of using the known practice of forming laminated conductive lines in LCD devices." By this admission, the limitation in question is not patentably distinguishable anyways because it is well known in the art. These arguments are rendered moot due to that fact.

Even if Kakuda teaches away from the combination, which is not necessarily the case in this reference, the fact remains that the applicant understands that the combination is well known. In this instance, Kakuda does not teach away from the combination of using laminated conductive lines because that structure is used in the present invention. If the laminated structure were taught away from, then Kakuda would not even use such a structure. Kakuda only teaches that there are inherent drawbacks to using certain materials for the laminated lines. Despite such drawbacks, the materials provide benefits in other ways (ie. light blocking, low resistance, etc). Therefore, one of ordinary skill in the art would read specific passages in Kakuda, one could determine and formulate their own motivation, or one could use the general knowledge of the art as stated by the applicant to find motivation for using the laminated structure. Kakuda provides motivation for the combination and the cited references show all of the elements of the claims. The rejection is therefore proper and shall remain.